



FEB 11 2005

Docket No.: 1316.1021CC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jang-Hoon YOO et al.

Serial No. 09/930,964

Group Art Unit: 2655

Confirmation No. 2291

Filed: August 17, 2001

Examiner: Mohammad N. Edun

For: OPTICAL PICKUP COMPATIBLE WITH A DIGITAL VERSATILE DISK AND A RECORDABLE COMPACT DISK USING A HOLOGRAPHIC RING LENS

PROPOSED COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Office Action mailed June 4, 2004. By way of review, MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

In the Statements, the Examiner characterizes certain features of various claims. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application such that the Reasons do not accurately reflect the features as set forth in the claims. By way of example, the Examiner asserts that the claims including claim 1 include a diffractive region, whereas claim 1 recites a holographic region that diffracts. The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed

features of the currently pending claims.

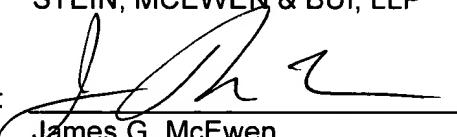
It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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